

**IN THE CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE
THE TWENTIETH JUDICIAL DISTRICT AT NASHVILLE**

FILED
2009 JAN 29 PM 2:46

RE: BARBARA R. HOOKER, CLERK

In Re the State of Tennessee Office)
of Attorney General and Reporter's)
Investigation of: MARCUS JONES,)
individually and doing business as)
JONES MEMORIALS and/or HALF)
OFF STONES, and the owners, officers,)
directors, agents, assigns, representatives)
and employees of MARCUS JONES,)
JONES MEMORIALS and)
HALF OFF STONES)

No. 08C3494

P. Jones
D.C.

**ORDER GRANTING THE STATE'S AMENDED MOTION / PETITION
FOR AN ORDER TO COMPEL COMPLIANCE WITH THE STATE'S
REQUEST FOR CONSUMER PROTECTION INFORMATION**

The State of Tennessee's Petition for an Order to Compel Compliance filed with this Court on October 22, 2008, and an amended Motion/Petition for an Order to Compel Compliance with this Court on October 29, 2008 (collectively referred to as the "State's Motion") came on to be heard on January 16, 2009 before the Honorable Judge Barbara Haynes. The Court finds as follows:

- (1) The State of Tennessee, by and through the Attorney General and Reporter, Robert E. Cooper, Jr., issued a valid "Request for Consumer Protection Information" ("RCPI") to Marcus Jones individually, and doing business as Jones Memorials and Half Off Stones and the owners, officers, directors, agents, assigns, representatives and employees thereof ("Defendants"), pursuant to the provisions of Tenn. Code Ann. § 47-18-106.
- (2) Defendant Jones Memorials is headquartered in Nashville, Tennessee at 3918 Dickerson Road, Suite 108. Defendant Jones Memorials is generally engaged in the business of

selling headstones, grave markers and other cemetery items, primarily over the Internet to consumers.

- (3) The Tennessee Division of Consumer Affairs has received consumer complaints against Defendants.
- (4) The Better Business Bureau of Middle Tennessee has processed consumer complaints filed against Defendants and has listed Defendants as having an unsatisfactory record.
- (5) Defendant Marcus Jones, on behalf of all Defendants, was properly served because he signed the United States Postal Service receipt for delivery of the RCPI on September 18, 2008. The RCPI, which is attached hereto as Exhibit A and incorporated by reference, required Defendants to produce certain documentary materials to the Attorney General no later than September 29, 2008.
- (6) Defendants failed to produce any documents on September 29, 2008 as required by the RCPI.
- (7) Marcus Jones did not appear or respond and sworn testimony was not given by Jones Memorials as required on October 1, 2008. The cost of the court reporter appearing for the scheduled sworn statement was Ninety Dollars and 00/100 (\$90.00).
- (8) The State then filed a Petition for an Order to Compel Compliance with this Court on October 22, 2008, and an amended Motion/Petition for an Order to Compel Compliance with this Court on October 29, 2008 (collectively referred to as the "State's Motion").
- (9) The State reached an agreement with Defendant Marcus Jones, and his then attorney of record, Robert Vaughn, on November 13, 2009, that all of the documents requested by the RCPI would be produced as soon as Mr. Vaughn had a chance to review them.
- (10) Based upon this agreement, the State agreed to reschedule the hearing before this Court scheduled for November 14, 2008, until January 9, 2009, and this Court was so notified in open court on November 14, 2008.

- (11) At the request of Defendant's counsel, Mr. Vaughn, the hearing was once again rescheduled for January 16, 2009, again based upon the representation that Mr. Jones would produce the documents to the State prior to the end of 2008.
- (12) On December 8, 2008, Robert Vaughn called Assistant Attorney General John Smith and advised that he no longer represented Marcus Jones or the other Defendants.
- (13) On December 8, 2008 Defendant Marcus Jones, acting in a pro se capacity, represented to John Smith that he would produce the documents on December 12, 2008.
- (14) On December 15, Marcus Jones called John Smith and stated that he had an automobile accident on December 12, 2008, while bringing the documents to produce to the State, and he promised to produce those documents by the close of business on December 19, 2008.
- (15) As of January 16, 2009, no documents or other information has been provided to the Attorney General's Office in response to the RCPI.
- (16) As of the hearing on January 16, 2009, no responsive pleadings have been filed with the Court.
- (17) Defendant Marcus Jones was in Court and at the State's suggestion, the Court allowed Defendant Marcus Jones to make a statement.
- (18) Defendant Jones, acting pro se, then advised the Court that he still has not delivered a single document to the State and did not currently have all of the documents ready to be delivered to the State.

Based upon the findings set forth above, and given that the Defendants have failed to file an answer, the Defendant's have admitted that they have not delivered a single document to the State in response to the RCPI, the Court finds that the State's Motion for an Order to Compel Compliance with the Request for Consumer Protection Information should be **GRANTED** in its entirety.

THEREFORE, IT WAS AND IS HEREBY ORDERED, ADJUDGED AND DECREED that Defendants Marcus Jones individually, and doing business as Jones Memorials and Half Off Stones and their owners, officers, directors, agents, assigns, representatives and employees thereof, are hereby ordered and shall produce all documents and other information requested in the RCPI no later than **12:00 p.m. January 16, 2009, to the Office of the Attorney General, Consumer Advocate and Protection Division, Nashville, Tennessee**, and failure to do so shall support a finding by the Court that Defendants are in contempt of this Court's Order.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, pursuant to Tenn. Code Ann. § 47-18-106(a)(2), Defendant Marcus Jones shall appear for the purpose of giving sworn testimony before the Attorney General and Reporter's designated representative, on **Friday, the 20th day of February, 2009**, at the Office of the Attorney General and Reporter, Consumer Advocate and Protection Division, John Sevier State Office Building, 425 Fifth Avenue North, Nashville, Tennessee, at 9:00 a.m., the testimony to continue from day to day until completed. If all documents are not provided prior to the sworn statement, the State shall have the right to conduct a subsequent sworn statement, upon 10 days written notice, to Marcus Jones at his address: 3311 Hawkwood Lane, Nashville, TN 37207-2112. If the Defendants fail to produce documents or appear for the purpose of giving sworn testimony, the State shall have the right to seek an expedited hearing date for additional sanctions, including but not limited to contempt.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendants are, pursuant to Tenn. Code Ann. § 47-18-106(e), prohibited and enjoined from further avoiding, evading, preventing compliance, in whole or in part with the State's civil investigation and prohibited and enjoined from removing from any place, concealing, withholding, destroying, mutilating, falsifying or by any means altering any documentary material in the possession of the Defendants, requested by the RCPI and otherwise related in any way to the State's investigation.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendants shall be required to maintain all records in a secure location, identified to the court, by no later than January 23, 2009.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this Court will set a hearing for the 27th day of February, 2009, at 9 a.m. to confirm compliance and/or to consider finding that the Defendants have not fully complied with the Court's Order, and enter an Order finding Defendants in civil contempt and subjecting Marcus Jones, individually and doing business as Jones Memorials, to consider imposition of additional remedial civil penalties, attorneys' fees and costs, sanctions and remedies as this Honorable Court deems appropriate to bring Defendants into compliance with the Court's Order.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, pursuant to Tenn. Code Ann. § 47-18-106(e), the State of Tennessee is awarded judgment in the amount of One Thousand Dollars (\$1,000) against Defendants as a remedial civil penalty for which execution may immediately issue for Defendants' failure to respond to the State's Request for Consumer Protection Information and appear for sworn testimony. This penalty shall be payable to the Attorney General by the close of business on **February 12, 2009**. Payment shall be made by certified check made payable to the "Treasurer, State of Tennessee". If Defendants fail to make timely payment of this civil penalty, execution and collection may issue immediately and the State may recover reasonable attorneys' fees and costs associated with any collection efforts as well as statutory interest and any other penalties, fines or remedies available at law. The State will submit affidavit of counsels by no later than February 13, 2009.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Court expressly reserves possible further civil penalties and other sanctions and remedies for further subsequent violations.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED pursuant to Tenn. Code Ann. § 47-18-108(b)(4), the Defendants are ordered to pay the State Attorney General for the reasonable costs, including attorneys fees, of preparing and filing this Amended Motion / Petition, preparing for the sworn testimony and attending the sworn testimony, the court reporter costs, any subsequently filed affidavit of counsels. The attorneys' fees and costs, when awarded, may be used at the sole discretion of the Tennessee Attorney General for consumer protection purposes or other lawful purposes at the sole discretion of the Attorney General. If Defendants fail to make timely payment under this provision, execution and collection may issue and the State may recover reasonable attorneys' fees and costs associated with any collection efforts as well as statutory interest and any other penalties, fines or remedies available at law.

AND FINALLY, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendants shall pay all court costs. Further, no costs be taxed against the State as provided by Tenn. Code Ann. § 47-18-116.

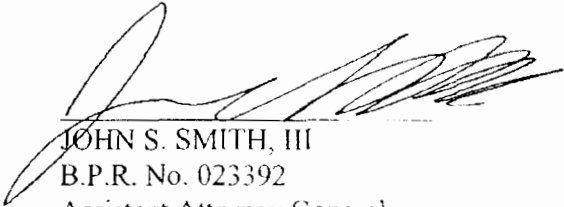
IT IS SO ORDERED, ADJUDGED AND DECREED, this ____ day of _____, 2009.



JUDGE BARBARA HAYNES
THIRD CIRCUIT COURT

SUBMITTED FOR ENTRY:

ROBERT E. COOPER, JR.
Attorney General and Reporter
B.P.R. No. 010934



JOHN S. SMITH, III
B.P.R. No. 023392
Assistant Attorney General
Office of the Tennessee Attorney General
Consumer Advocate and Protection Division
Post Office Box 20207
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E-mail: John.Smith@ag.tn.gov

FILE

2009 JAN 29 PM

EDWARD R. ROOKER.

Edward R. Rooker

EXHIBIT A

STATE OF TENNESSEE
OFFICE OF ATTORNEY GENERAL AND REPORTER
AND DIVISION OF CONSUMER AFFAIRS
DEPARTMENT OF COMMERCE AND INSURANCE



FILED

JAN 29 2009

By Richard R. Hooker Clerk
Deputy

IN RE INVESTIGATION OF)
JONES MEMORIALS/ HALF OFF)
STONES/ MARCUS JONES)
and/or any and all officers,)
owners, employees, agents and)
representatives of JONES)
MEMORIALS/ HALF OFF)
STONES/ MARCUS JONES,)

Respondents.)

ISSUED PURSUANT TO
TENN. CODE ANN. § 47-18-101 *et seq.*

REQUEST FOR CONSUMER PROTECTION INFORMATION

TO: JONES MEMORIALS/HALF OFF STONES/MARCUS DONNELL JONES

**SERVE: MARCUS JONES
3311 HAWKWOOD LANE
NASHVILLE, TN 37207-2112**

The Division of Consumer Affairs of the Tennessee Department of Commerce and Insurance (hereinafter "Division"), through Robert E. Cooper, Jr., Attorney General and Reporter ("Attorney General"), has reason to believe that it would be in the public interest to conduct an investigation, pursuant to the provisions of the Tennessee Consumer Protection Act, Tenn. Code Ann. § 47-18-106, to ascertain whether Jones Memorials/Half Off Stones, Marcus Jones, their agents, owners, officers, employees, and/or representatives ("Respondents"), are engaging in, have engaged in, or are about to engage in acts or practices in Tennessee which are in violation of

the Tennessee Consumer Protection Act of 1977, Tenn. Code Ann. § 47-18-101 *et seq.*, including but not limited to, Tenn. Code Ann. §§ 47-18-104(a), (b)(9), (12) and (27) and other applicable law. Pursuant to Tenn. Code Ann. § 47-18-106(a), at the Request of the Division and with the approval of the Attorney General, MARCUS JONES is hereby requested and directed to furnish and make available the requested information and documentary material at the Office of the Tennessee Attorney General, Consumer Advocate & Protection Division, 425 Fifth Avenue North, P.O. Box 20207, Nashville, Tennessee on September 29, 2008 at 9:00 a. m. or at such other time or place as is mutually agreeable in writing to the parties. For mail delivery use the following address: Office of the Tennessee Attorney General, Consumer Advocate and Protection Division, Post Office Box 20207, Nashville, Tennessee 37202-0207.

Pursuant to Tenn. Code Ann. § 47-18-106(a)(2), MARCUS JONES is hereby requested to appear for the purpose of giving sworn testimony before the Attorney General and Reporter's designated representative, on the 1st day of Oct, 2008, at the Office of the Attorney General and Reporter, Consumer Advocate and Protection Division, John Sevier State Office Building, 425 Fifth Avenue North, Nashville, Tennessee, at 10:30 a.m., the testimony to continue from day to day until completed.

IMPORTANT INFORMATION AND NOTICES

This Request for Consumer Protection Information was issued on behalf of the State of Tennessee Division of Consumer Affairs and with the approval of the Attorney General of the State of Tennessee pursuant to Tenn. Code Ann. § 47-18-106. You should carefully review this statute. For your information:

Tenn. Code Ann. § 47-18-106(b) provides in part as follows:

At any time prior to the return date specified in the division's request for information . . . , or within ten (10) days following notice of such a request, whichever is shorter, any person from whom information has been requested may petition the circuit or chancery court of Davidson County, stating good cause, for a protective order to extend the return date for a reasonable time, or to modify or set aside the request. The division shall receive at least one (1) day's notice of such a petition and shall be given an opportunity to respond.

Tenn. Code Ann. § 47-18-106(c) provides in part as follows:

If no protective order from the court is secured and the written request by the division is not complied with by its return date, the division, upon notice to the person requested to provide information, may apply to a court of competent jurisdiction for an order compelling compliance with the request

Tenn. Code Ann. § 47-18-106(e) provides in part as follows:

Any person who has received notice of a request for information pursuant to subsection (a) . . . and with intent to avoid, evade, or prevent compliance, in whole or in part, with any civil investigation . . . removes from any place, conceals, withholds, destroys, mutilates, falsifies, or by any other means alters any documentary material in the possession, custody, or control of any person subject to such notice, shall be subject to a civil penalty of not more than one thousand dollars (\$1,000), recoverable by the state in addition to any other appropriate sanction.

Tenn. Code Ann. § 47-18-106(g) provides in part as follows:

No documentary material, merchandise, or other information, including trade secrets, obtained pursuant to a request under this section, unless otherwise ordered by the court for good cause shown, shall be produced for inspection, copied by, or its contents disclosed to, any person other than an authorized representative of the division or other proper law enforcement official for the purpose of prosecution without the consent of the person who produced the material or information. The division may use copies of the documentary material produced in accordance with the provisions of this section and merchandise impounded under a

court order as it determines necessary in the enforcement of this part, including the presentation before any court; provided, that none of the powers conferred upon the division by this part shall be used for the purpose of compelling any natural person to furnish testimony or evidence which may be protected by such person's right not to against self-incrimination.

DEFINITIONS AND INSTRUCTIONS

Please answer this Request for Consumer Protection Information ("Request") in numbered paragraphs, which correspond to the numbered paragraphs marked "Requested Documentary Materials and Information".

- (a) For purposes of the Request, the meaning of "Documentary Materials," "Documentation," "Documents," "Records," and "List" shall include, but is not limited to:

All writings, written material, data or audio recordings, however created, produced or reproduced and wherever located, that are owned, possessed, controlled, in the custody of or accessible to you, or to which you have the right to own, possess, control, or to have custody, constructively or otherwise, and whether prepared or received by your company; and shall include, but is not limited to, letters, correspondence, e-mail, certificates, newspapers, logs, journals, accounts, schedules, contracts, prospectuses, marketing and advertising materials, agreements, drafts, reports, memoranda (including memoranda, recordings or notes of telephone conversations or messages, other conversations, discussions, meetings, or conferences), telegrams, telexes, photographs, books, transcripts, records, computer databases, pamphlets, office communications (inter-office and intra-office), bulletins, manuals, minutes, marketing studies, statements, notebooks, forms, notices, tabulations, analyses, studies, microfilms, voice recordings, videotapes, tables or statistical or other data, notes or other tangible things, including copies if the copy bears any other marking or notation of any kind and each such document shall include all attachments, enclosures, and materials underlying, supporting or used in the preparation of any such document, and other documents that relate or refer to each such document.

Any "document" that is requested that is available in printed and electronic format shall be produced in both formats. All document data that is in electronic format shall be produced in its native format, along with a written statement describing what information is included in that database, naming the native format and the

software program used to enter and record the data, including the name of the software manufacturer, software release date and version.

The term "Native Format" shall mean and refer to the default format of a data file created by its associated software program, i.e., for Microsoft Excel, the native format is ".xls" and for Microsoft Word, the native format is ".doc." Such electronic records or data should be provided on CD Rom or DVD.

- (b) Also, for the purposes of this Request, the term "you", "your", "Respondents", and "Jones Memorials" shall mean and include: Marcus Jones, Jones Memorials and/or any and all officers, owners, employees, agents and representatives of Jones Memorials. Additionally, for the purposes of this Request, the term "you", "your", "Respondents", and "Half Off Stones" shall mean and include: Marcus Jones, Half Off Stones and/or any and all officers, owners, employees, agents and representatives of Half Off Stones.
- (c) For the purposes of this Request, the following terms shall have the following meanings:
 - (1) "consumer" shall mean and include any person, a natural person, individual, governmental agency or entity, partnership, corporation, trust, estate, incorporated or unincorporated association, and any other legal or commercial entity however organized.
 - (2) "Any" or "all" shall mean each and every.
 - (3) "And" and "or" shall mean and/or so that they both have conjunctive and disjunctive meaning such as to make them terms of inclusion rather than terms of exclusion.
 - (4) "Refer" shall mean to make a statement about, embody, discuss, describe, reflect, identify, deal with, consist of, establish, comprise, list, or any way pertain, in whole or in part, to the subject of the document request.
 - (5) "Relate" means embody, refer or relate, in any manner, to the subject of the document request.
 - (6) Unless otherwise specified, "Respondents" shall mean Jones Memorial/Half Off Stones/Marcus Jones and/or any and all officers, owners, employees, agents and representatives of Jones Memorial/Half Off Stones/Marcus Jones.
 - (7) "Identify" or "Identity" shall mean the following:
 - (i) when used in reference to a natural person means to state: (1) the person's full name; (2) the person's title; (3) the person's present or last known

residential and business address; and (4) the person's present last known residential and business telephone number.

- (ii) when used in reference to a legal entity, such as a corporation or partnership shall mean to state: (1) the organization's full name, trade names and any dbas, if any; (2) the address and telephone number of its principal place of business and any business locations in the State of Tennessee; and (3) the names and titles of the entity's officers, directors, managing agents or employees.
- (iii) When used in reference to a document or documentary material shall mean to state: (1) the type of document (e.g., letter, memorandum, print-out, report, newspaper, etc.); (2) the title and date, if any, of the document; (3) the author's name and address; (4) the addressee's name and address; (5) a brief description of the document's contents; (6) the present location of the document; and (7) the name and address of the person or persons having custody over the document. If any such document was, but is no longer, in your possession, custody or subject to your control, state what disposition was made of it. In all cases where you are requested to identify particular documents, in lieu of such identification, you may supply a full legible copy of the document in question. This permission, however, shall in no way prejudice or limit the State's right to require production and allow inspection of all records in your possession.
- (d) Unless otherwise indicated, documents to be produced pursuant to this Request include each and every document prepared, sent, dated, received, in effect, or which otherwise came into existence during the period from January 1, 2003 to the date of the production of the documents.
- (e) Document requests in the Request call for the production of each and every responsive document in the your possession, custody, and control without regard to the physical location of those documents. If any documents, items or information requested herein are not in your possession, custody or control but you have information of its existence elsewhere, state who your information indicates possesses each of those documents, items or information. If the any of the documents requested herein have been destroyed, please state the date of destruction, the reason for such destruction and the full name of the individual responsible for such destruction.
- (f) Documents to be produced shall be originals unless otherwise indicated. If the "original" is a copy, that copy should be produced as the original. You should retain a copy of any and all documents produced in response to this Request. Documents produced will not be returned to you.

- (g) If you assert a privilege in response to a document request in this Request, you must state the privilege, basis for the privilege, and identify the documents to which the privilege attaches.
- (h) All documents shall be provided along with an affidavit of the persons responsible for compiling the response. The affidavit must state that the documents represent a complete, truthful and accurate response to this Request. The affidavit must also authenticate all documents provided in response to the Request.
- (i) Whenever appropriate, the singular form of a word should be interpreted in the plural, and the plural form should be interpreted in the singular. Further, the masculine and the feminine and the neuter should be interpreted to refer to the other, as the context requires.

REQUESTED DOCUMENTARY MATERIALS AND INFORMATION

In accordance with the requirements set forth in the "Definitions and Instructions," you shall produce the following documents and information within the time frame set forth above:

1. Business Locations.

- a. Provide any and all names under which Respondents have conducted business. Include in this response any parent or subsidiary companies associated or affiliated with Respondents.
- b. Identify each and every location from which Respondents conduct or have conducted business.

2. Corporate Information.

- a. Provide all documents related to the formation of Jones Memorials and Half Off Stones.
- b. If any of the above named entities are corporations, provide all documents reflecting their business structures, including the names, titles, current addresses, and current telephone numbers of all officers, directors, and managers.

3. Respondent, Marcus Jones:

- a. Provide all information relating to Respondent Marcus Jones' role in the companies listed in the investigative caption on page one. Include in this response all supporting information including, but not limited to, roles or

positions held in each company and/or corporation, services provided in that role, and personal tax returns and W-2 forms showing compensation provided to him by each company.

4. Relationship between Jones Memorials, Half Off Stones, and Third Parties:

- a. Provide all documents relating to the relationship between the Marcus Jones, Jones Memorials and Half Off Stones.
- b. Provide any and all purchasing agreements or contracts with suppliers to Jones Memorial and Half Off Stones. Please identify all such supplier(s) including the time frame they supplied Jones Memorial and/or Half Off Stones and what they supplied Jones Memorial and/or Half Off Stones.

5. Consumer Information.

- a. Provide an alphabetical list of all consumers/persons who have purchased any tombstones or other cemetery goods and/or services from Marcus Jones, Jones Memorials and/or Half Off Stones. Include in your response each consumer/person's current address, telephone number, email address, the date of the order, a description of the goods or services ordered, the amount paid for the goods or services, and the date the goods or services were delivered to the purchaser. Please identify the person(s) receiving payment for each good or service ordered.

6. Investors

- a. Provide an alphabetical list of all current investors in Respondents. Include in your response each person's current address and telephone number, a copy of any investment agreement or contract entered into with each investor, the date of each person/entity's investment, the amount of each person/entity's investment and the annual percentage return on each person/entity's investment with Respondents.
- b. Provide an alphabetical list of all past investors in Respondents. Include in your response each person's current address and telephone number, a copy of any investment agreement or contract entered into with each investor, the date of each person/entity's investment, the amount of each person/entity's investment and the annual percentage return on each person/entity's investment with Respondents.

- c. Provide all documents relating to referrals made on behalf of Respondents, in connection with an investment and/or purchase of cemetery goods or services. Include in this response all supporting information, including but not limited to, recruitment plans for attracting new investors, marketing structures for the sale of Respondents' services, product presentations, payment plans for sales compensation and management bonus pools, organizational charts of any investor/ affiliate structure of Respondents, and information regarding meetings and/or conference calls held that included the investors.
- d. Provide a copy of Respondents' prospectus; if more than one prospectus has been used, please provide a copy of each and identify the date(s) each was in use.
- e. Provide any and all documents used to promote and/or advance Respondents' investment opportunity business, including but not limited to, promissory notes.
- f. Provide substantiation of Respondents' representations, as have been found on www.halfoffstones.com and www.jonesmemorials.com, of any rate of return to be earned by consumers through their participation as "Investors", as has been outlined on www.halfoffstones.com and www.jonesmemorials.com, with Respondents.
- g. Provide all documents distributed to consumers regarding their participation as "Investors", as has been outlined on www.halfoffstones.com and www.jonesmemorials.com, by Respondents. Include any documentation kept by Respondents regarding each consumer's participation as "Investors".

7. Advertisements and Other Promotional Information.

- a. Provide all documents that explain, detail, advertise, promote and/or offer Respondents' tombstones, cemetery goods or services, memorial goods and/or investment opportunities, directed at consumers.
- b. Provide all advertisements, regardless of the medium, which were publicized on Respondents' behalf. This request includes, but is not limited to, all print advertisements, Internet advertisements, and the scripts for all radio and television advertisements, brochures, and/or fliers.
- c. Identify the name, current address, social security number or tax identification number, and current telephone number of the person, entity,

or agency responsible for drafting, designing, and placing advertisements set forth in 7(a) and 7(b) on Respondents' behalf.

- d. If the Respondents use or have used the services of an advertising agency, identify the contact person(s), by name, address and telephone number and the date of the use.
- e. Provide copies of all contracts with any advertising agency.

8. Financial Information.

- a. Provide any and all documents and information in Respondents' possession that establish and/or explain the earnings realized by Respondents through their sales of goods and/or services to consumers.
- b. Provide all financial records detailing the general income and expenses of Respondents relating to their sales/services provided to consumers.
- c. Provide all documents reflecting the gross receipts of Respondents relating to their sales/services provided to consumers.
- d. Provide all tax returns, whether corporate or personal, from the tax year of 2003 to the present, that exist for Respondents, including the personal tax returns of Marcus Jones.
- e. Identify banks or other financial institutions in which you have had or presently have an account along with bank account numbers. Produce copies of your statements from each account, both personal and business, for the last five (5) years, from 01/03/03 to the date of production.

9. Types of Goods/Services Offered.

- a. Describe in detail each and every good and/or service that is offered by Respondents.
- b. Provide all forms or standard documents Respondents routinely use, or have prepared for potential use, in providing the goods and/or services offered by Respondents.
- c. Provide all forms or standard documents which have been used by Respondents in their sale of goods and/or services offered by Respondents.

10. Consumer Complaint and Inquiry Handling.

- a. Provide all documents indicating the manner in which consumer complaints are handled by Respondents.
- b. Provide all complaints and inquiries from any consumer received by Respondents. Include in your response any documents, writings which you have maintained documenting telephone calls, e mails, letters or other contacts from consumers directly to you in which a consumer complaint was made. Also include a copy of any document containing a response by Respondents or on your behalf to any consumer complaint.
- c. Provide all documents used by Respondents as internal training materials for sales staff or persons dealing with consumer complaints or inquiries.
- d. Provide all complaints, inquiries, documentation, and correspondence sent to Respondents by consumers/persons.

11. Consumers Requesting Refunds.

Provide a list of all consumers who have requested a refund from Respondents regarding Respondents' goods and/or services. For each consumer, provide the date each request for a refund was received; the full legal name, current residential and business addresses, and telephone number of each consumer requesting a refund; the reason a refund was requested; whether a refund was given; the amount of the refund, if any, given to the consumer by Respondents; and all documents including, but not limited to, receipts evidencing that refunds were given.

12. Provide a list of all consumers who have requested a refund following participation as "Investors," as has been outlined on www.halloffstones.com and www.jonesmemorials.com. For each consumer, provide the date each request for a refund was received; the full legal name, current residential and business addresses, and telephone number of each consumer requesting a refund; the reason a refund was requested; whether a refund was given; the amount of the refund, if any, given to the consumer by Respondents; and documents including, but not limited to, receipts evidencing that refunds were given.

13. Other Governmental Investigations or Litigation Pending.

- a. Provide all documents reflecting any correspondence with any law enforcement entity regarding Respondents' activities or practices.

- b. Provide all complaints, pleadings, memoranda, court orders, court opinions, Assurances of Voluntary Compliance, or similar documents and consent decrees filed in any State or Federal Court to which Respondents are or were a party.
- c. If Respondents have ever been investigated by any Federal agency, produce any and all documents relating to such investigation.
- d. If Respondents have ever been investigated by any State or State agency, produce any and all documents relating to such investigation.

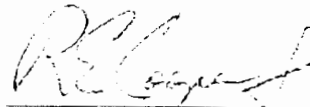
14. Employees and Training Materials.

- a. Provide an alphabetical list of the name, current residential address and telephone number, social security number, job description, title, and educational history of all of Respondents' full-time, part-time, and contract employees and the dates each was employed.
- b. Provide an alphabetical list of the name, current residential address and telephone number, social security number, job description, title, basis for earnings, and educational history of anyone who has contracted to provide services on behalf of Respondents.
- c. Provide all training manuals, handbooks, instructional videotapes, or other materials provided to Respondents' employees.

INQUIRIES OR QUESTIONS

Please direct any inquiries or questions to: Meredith DeVault, Senior Counsel, Consumer Advocate and Protection Division, Post Office Box 20207, Nashville, Tennessee 37202-0207, telephone: (615) 532-2578 and facsimile: (615) 532-2910. Please note any petitions filed pursuant to Tenn. Code Ann. § 47-18-106(b) must be served in accordance with state law.

ISSUED: June 25, 2008.



ROBERT E. COOPER, JR.
Attorney General and Reporter

APPROVED BY:

A handwritten signature in cursive script, appearing to read "Mary Clement", written over a horizontal line.

MARY CLEMENT

Director

Division of Consumer Affairs

STATE OF TENNESSEE
OFFICE OF THE ATTORNEY GENERAL
CONSUMER ADVOCATE & PROTECTION DIVISION

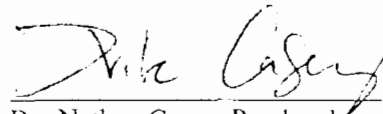
IN RE INVESTIGATION OF : Jones Memorials/Half Off Stones located at 3918
Dickerson Pike, Nashville, TN 37207 and/or any and all
officers, owners, employees, agents and representatives of
Jones Memorials/Half Off Stones.

RETURN

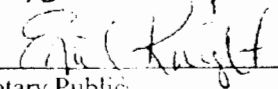
I affirmatively state that I served this Request by certified mail #: 706702200000 2997 1415

TO: MARCUS JONES
3311 HAWKWOOD LANE
NASHVILLE, TN 37207-2112

on the 16th day of September, 2008.


By: Nathan Casey, Paralegal

Sworn to and subscribed before me
this 16th day of Sept, 2008.


Notary Public

My commission expires:

Aug. 23, 2011



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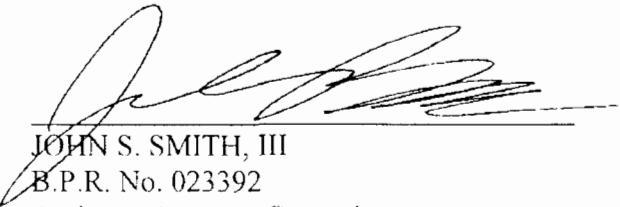
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CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Document Filing has been forwarded via certified mail, postage prepaid, to:

MARCUS JONES, Individually
and doing business as Jones Memorials / Half Off Stones
3311 Hawkwood Lane
Nashville, TN 37207-2112

This the 20th day of January, 2009.



JOHN S. SMITH, III

B.P.R. No. 023392

Assistant Attorney General

Office of the Tennessee Attorney General

Consumer Advocate and Protection Division

Post Office Box 20207

Nashville, TN 37202-0207

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